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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Charles L. Miller
Banner & Witcoff, Ltd.
Ten South Wacker Drive
Chicago, IL 60606-7407

EXAMINER	
HOSSAIN, TANIM M	
ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/071,357	WILKINSON ET AL.	
	Examiner	Art Unit	
	Tanim Hossain	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Dwek (U.S. 6,248,946).

As per claim 1, Dwek teaches a multimedia management system comprising: an electronic processor for controlling access to stored multi-media assets utilizing a database, the database containing a plurality of individual media objects, the instantiations of which include video images, still images, and text (column 3, lines 40-57); a server for enabling the stored assets to be accessed via the database by an outside user via a communications network, and an electronic processor controlled taxonomy system allowing a user to access the stored assets via the server, the taxonomy system linking categories of media objects in the database in a hierarchical tree system formed of nodes with each node representing a category, there being a basic parent/sibling relationship between the nodes of the tree (Abstract, figure 3, column 7, lines 25-50); and wherein the management system has, for a selected plurality of media objects as represented by the categories, association links linking categories located at different levels in the hierarchical tree so that a user can traverse the tree by viewing a first media object in a first

category at a first level in the tree, and then directly viewing a second object in a second category at a second level in the tree, where the first and second categories do not have a parent and child relationship in the tree (figure 3, column 7, lines 25-50).

As per claim 2, Dwek teaches the multimedia management system according to claim 1, wherein selected nodes of the tree are association nodes with each association node providing a one-way link to another node of the tree so as to provide an association link between nodes (Abstract, figure 3, column 7, lines 25-50);

As per claim 12, Dwek teaches a method for managing and accessing data, comprising the steps of: storing a plurality of media objects in a computer-readable medium (column 4, lines 53-59); accessing the media objects by following nodes on a taxonomy tree, the taxonomy tree comprising a plurality of nodes having parent and child relationships, where a first plurality of parent nodes is at a higher level in the tree than a second plurality of child nodes, and wherein two nodes at different levels in the tree have different assigned type values, and wherein the taxonomy tree further includes one or more association links allowing direct access between first and second associated nodes that do not bear a parent and child relationship in the tree (figure 3, column 7, lines 25-50).

As per claim 13, Dwek teaches the method of claim 11, wherein the step of storing includes storing the media objects according to a second tree structure (column 4, lines 53-59; figure 3; column 7, lines 25-50).

As per claim 14, Dwek teaches the method of claim 11, wherein at least one of the association links will permit a user who is accessing a media object associated with the first associated node to directly access a second associated node, without accessing a parent node of

the first associated node, but will not permit a user who is accessing a media object associated with the second associated node to directly access the first associated node without accessing a parent node of the first associated node (column 4, lines 53-59; figure 3; column 7, lines 25-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Andrews et al (U.S. 6,105,062).

As per claim 3, Dwek teaches the multimedia management system according to claim 2, but does not specifically teach that the association nodes can be linked to provide a two-way access between nodes. Andrews teaches creating a two-way access between trees and subtrees (column 2, line 67 – column 3, line 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to teach the existence of two-way links in a tree directory system, as taught by Andrews in the system of Dwek. The motivation for doing so lies in the fact that having two-way links would make it easier for a user to navigate between different genres, for example. Both inventions are from the same field of endeavor, namely the efficient management of a directory system.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Van Der Meulen et al (U.S. 6,563,769).

As per claim 4, Dwek teaches the multimedia management system according to claim 1, but does not specifically teach that the media objects have associated proxies. Van Der Meulen teaches the transmittal of an object in lieu of the original content source (column 5, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the transmittal of "copies" of the original content source, as taught by Van Der Meulen in the system of Dwek. The motivation for doing so lies in the fact that having copies transmitted reduces the strain on the content server transmitting the original content for every request. Both inventions are from the same field of endeavor, namely the efficient transmittal of multimedia.

As per claim 5, Dwek-Van Der Meulen teaches the multimedia management system according to claim 4, wherein when an instantiation is video data, a proxy is a compressed form of the video data (Van Der Meulen: column 6, lines 10-16).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek-Van Der Meulen in view of Fanning et al (U.S. 6,742,023).

As per claim 6, Dwek-Van Der Meulen teaches the multimedia management system according to claim 5, but does not specifically teach the processor determining whether a certain proxy is to be downloaded. Fanning teaches the system's determination of downloading a certain proxy based on certain criteria (column 3, lines 13-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the ability to determine

whether or not to download a certain copy of a media file, as taught by Fanning in the system of Dwek-Van Der Meulen. The motivation for doing so lies in the fact that for the system to achieve full efficiency, there must be discrimination as to whether certain file copies will be downloaded, based on download speed, or other criteria. Both inventions are from the same field of endeavor, namely the efficient transfer of media files through a network.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Stefik (U.S. 5,530,235).

As per claim 7, Dwek teaches the multimedia management system according to claim 1, but does not specifically teach a system adapted to generate and store a thumbnail of a video instantiation, the thumbnail being composed of an integer number of frames of the video instantiation, the thumbnail being composed of an integer number of frames of the video instantiation, separately displayed in a single display frame, the integer number of frames being separated one from the other by intervening frames in the original video or film. Stefik teaches the storage and display of a thumbnail of a video, having multiple frames that are all displayed (column 8, lines 15-32). It would have been obvious to one of ordinary skill in the art to include thumbnails of the stored media, as taught by Stefik in the system of Dwek. The motivation for doing so lies in the fact that having a thumbnail of stored media would enable the user to get a better idea of whether to request this media. Both inventions are from the same field of endeavor, namely the delivery of media content.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Marcus (U.S. 6,032,156).

As per claim 8, Dwek teaches the multimedia management system according to claim 1, but does not specifically teach the customization of media related to a user's request. Marcus teaches the ability to customize media sent by the system, tailored to user preferences and information (column 10, lines 10-20). It would have been obvious to one of ordinary skill in the art of the invention to include the ability to customize media data to the specific characteristics of the user, as taught by Marcus in the system of Dwek. The motivation for doing so lies in the fact that customizing information that would suit the user would make the invention more attractive and there would be little waste of resources such that the user would not receive information that is irrelevant to him/her.

As per claim 9, Dwek-Marcus teaches the multimedia management system according claim 8, adapted to check the origin of request for access to stored media and to customize the media when it is delivered (Marcus: column 10, lines 10-20).

As per claim 10, Dwek-Marcus teaches the multimedia management system of claim 1, further comprising at least one ingest station for generating media for storage in the management system, the ingest station having recording equipment for generating voice/audio data, and a logger for editing recorded data (Marcus: column 5, line 40 - column 6, line 14). Dwek-Marcus does not specifically teach the existence of a browser at the ingest station, compatible with a web server. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a browser in the ingest station. The motivation for doing so lies in the fact that web compatible browsers for media management systems are necessary so that efficiency is achieved.

Users are familiar with a web browser format, and therefore having a browser in this case would allow for further efficiency.

Response to Arguments

Applicant's arguments filed on June 30, 2005 have fully been considered, but are not persuasive.

a. Applicant asserts that the Dwek reference does not teach the linking of categories located at different levels in the tree so that a user can traverse the tree by viewing a first media object in a first category, and then viewing a second object, where the categories do not have a parent-child relationship in the tree. Examiner respectfully disagrees. Viewing figure 3A, it is submitted that the manipulation of the first playlist and SONG 3, for example, may be performed without directly proceeding through the parent of SONG 3. The media objects may be manipulated at will, and the second playlist does not necessarily need to be manipulated to access SONG 3. SONG 3 is already available for manipulation. The first playlist and SONG 3 do not have a parent-child relationship.

b. The ability for one-way links to be used exists in the Dwek reference. In a situation where a first media object is being played, it may access a second media object without accessing the media object's parent (the second playlist, for example). A situation in which SONG 3 is being played, and to open SONG 1, the first playlist parent must be accessed, is also taught in the system of Dwek.

c. Motivation exists to combine certain embodiments of Dwek and Stefik, as Stefik pertains to the delivery of media content in an efficient manner. In Dwek, there exists a desirability for thumbnail objects showing excerpts of the media objects to be requested so that the nature of a media object may be deciphered, without actually accessing the media object. Stefik merely presents this desirable aspect in a Docucard, but the showing of video thumbnails is obviously not limited solely to Docucards. The inclusion of video thumbnails in Dwek would allow for the user to be able to choose to play the video, based on the desirability of the thumbnails, leading to further efficiency of Dwek's invention. This practice is also well known in the art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571/272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tanim Hossain
Patent Examiner
Art Unit 2145

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER